



IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GEORGE, KENNITH EARL #233177B,
Plaintiff

Vs.

OFFICER HAGLER/A.D.O.C. et al,

Defendant

The suit is against individually and in their official capacity

I. JURISDICTION & VENUE

1. This is a civil action authorized by 42 U.S.C. Section 1983 to redress the deprivation, under Color of STATE LAW, of rights secured by the Constitution of the United States. The court has jurisdiction under 28 U.S.C. Section 1331 and 1343(a)(3). Plaintiff seeks declaratory relief pursuant to 28 U.S.C. Section 2201 and 2202. Plaintiff claims for injunctive relief are authorized by 28 U.S.C. Section 2283 & 2284 and Rule 65 of the Federal Rules of Civil Procedure.

2. IN THE UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF ALABAMA

NORTHERN DIVISION is an appropriate, venue under 28 U.S.C. Section 1391(b)(2) because it is where the events giving rise to this claim occurred.

II. PLAINTIFFS

3. Plaintiff, GEORGE, KENNITH EARL #233177B, is and was at all time mentioned herein a prisoner of the State of Alabama in the custody of the Alabama Department of Corrections. He is currently confined in Bullock Correctional Facility, in Union Springs, Alabama.

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DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT

COMPLAINT

Civil Action No.

2:21-cv-506-MHT-SRW

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III DEFENDANTS

Defendant,

4. JEFFERY DUNN is the Director/Commissioner of the state of Alabama Department of Corrections. He is legally responsible for the overall operations of the Department and each institution under its jurisdiction, including Bullock Correctional Facility where plaintiff is confined.

5. Defendant, Warden Patrice Richie Jones is the Superintendent/Warden of Bullock Correctional Facility. SHE is legally responsible for the operations of Bullock Correctional Facility and for the "Welfare of all" the inmates in that prison.

6. Defendant, OFFicer Hagler is a Correctional Officer of the Alabama Department of Corrections who, at all times mentioned in this Complaint, held the rank of C.O. 2 Correctional Officer and was assigned to Bullock Correctional Facility.

7. Each defendant issued individually and in his or her official capacity. At all times mentioned in this ~~case~~/Complaint each defendant acted under the Color of State law.

8.

III(E) FACTS

"Upon information and belief,"

1. On July 26-2021 between 8:00 P.M - 9:00 P.M I was stabbed 10 times by an inmate and OFFicer Hagler watched and didn't do nothing to stop it and it's all on video.

2. This was established in an important Supreme Court case called Farmer v. Brennan, 511 U.S. 825 (1994) To bring a failure to protect claim to stop officers from watching and letting inmates get hurt.

3. Right before my incident with the same inmate a few minutes earlier, The same inmate was wiggling/Acting out on Meth/Ice got into an argument with OFFicer Hagler.

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#3. Hagler knew He was out of his mind knowing the inmate was high and didnt do nothing after the inmate first told officer Hagler he was going to stab him.

4. After Hagler and the inmate's altercation the inmate was in the shower, I came and put my clothes on the rack and that's when the inmate started stabbing me for nothing.

5. After I was stabbed up I went to my bed video will clearly show the Courts OFFicer Hagler walked up to me while I was bleeding with stab wounds talking to me and still did nothing but walked back out the dorm and locked the doors leaving the stabber in rage still raging in the dorm, still with me so He or I could finish the Job/Death.

6. OFFicer Hagler wanted the inmate who first threatened him and who stabbed me to hurt that inmate and or may be kill him that's why he stood and watched.

7. A few minutes later all the police came up running I went to the door and I was sprayed with Mace.

8. I filed a #208 to the personnel Board of ADOC I sent a copy showing Grievance.

9. I also have witnesses to this ~~complaint~~ Complaint.

① James Shealy #185207, ② Nathan Owens #252720, ③, Marquise Goffer #238465, ④ Waymon Robertson #191341

⑤ Willie Stallworth #297078 ⑥ Troy McCormick 306473

⑦ Demetrius Harris #165841 ⑧ Edwin Scott #292182

IV. EXHAUSTION OF LEGAL REMEDIES

10 Plaintiff, George Kenneth Earl #233177B used the prisoners grievance procedure available at Bullock Correctional Facility to try and solve the problem, On July 26-2021 filed a #208

Complaint haven't heard anything yet.

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V. LEGAL CLAIMS

11. Plaintiff reallege and incorporate by reference paragraph 1-10 or however many paragraphs the first four sections state

12. ~~Officer~~ Officer Hagler did commit deliberate indifference. Officer Hagler knew that there was a substantial Risk you or I would be seriously harmed and failed to respond reasonably to protect me.

13. OFFicer Hagler violated my Eighth Amendment Constitutional Rights.

14. The plaintiff has no plain, adequate or complete remedy at law to redress the wrongs described herein. Plaintiff has been and will continue to be irreparably injured by the conduct of the defendants unless this court grants the declaratory and injunctive relief which plaintiff seeks.

VI. PRAYER FOR RELIEF

15. Wherefore plaintiff respectfully prays that this court enter judgement granting plaintiff:

16. A declaration that the acts and omissions described herein violated plaintiff's rights under the Constitution and laws of the United States.

17. A preliminary and permanent injunction ordering defendants officer Hagler to serve and protect do his job and not stand and watch inmates get killed

18. Compensatory damages in the amount of \$100,000.00 against each defendant, jointly and severally.

19. Punitive damages in the amount of \$100,000.00 against each defendant.

20. A jury trial on all issues triable by jury

21. Plaintiff's cost in this suit.

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22. Any relief this court deems just proper, and equitable.

Dated: Aug. 4th 2021

George Kenneth Earl #233177B
Respectfully Submitted

Address: Bullock Correctional Facility
P.O. Box 5107
Union Springs, AL 36089
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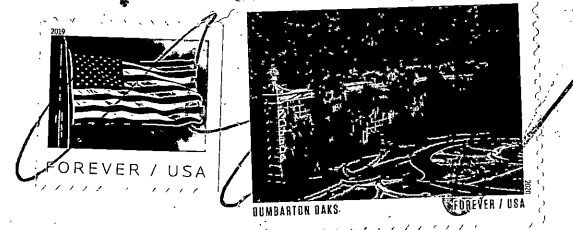
VERIFICATION

I have read the foregoing complaint and hereby verify that the matters alleged on information and belief, and, as to those, I believe them to be true. I certify under penalty of perjury that the foregoing is true and correct.

Executed at Union Springs, Alabama
on Aug. 4th 2021

Signature: George Kenneth Earl #233177B

GEORGE, KENNITH EARL #233177B
Bullock Correctional Facility
P.O. Box 5107
Union Springs, AL 36089



TO: Office of the clerk
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
1 CHURCH STREET, SUITE B-110
MONTGOMERY, AL 36104-4018

Notarized
Legal Mail